

ITEM:		RECOMMENDATION: APPROVAL
REF NO:	3PL/2019/1183/F	CASE OFFICER Chris Hobson
LOCATION:	NECTON Land off North Pickenham Road Necton	APPNTYPE: Full POLICY: Out Settlemnt Bndry CONS AREA: N LB GRADE: N TPO: N
APPLICANT:	Partner Construction Ltd c/o Agent	
AGENT:	Marrons Planning Waterfront House 35 Station Street	
PROPOSAL:	Erection of 27 dwellings with associated access, parking, landscaping and surface water attenuation	

REASON FOR COMMITTEE CONSIDERATION

This application is locally sensitive and with application 3PL/2019/1184/D seeks to amend the obligations planning committee resolved to secure in the outline application.

KEY ISSUES

Principle of Development;
Housing Mix, Size, Tenure;
Design, Layout and Scale;
Amenity Considerations;
Landscaping and Arboricultural Implications;
Ecology Considerations;
Access and Highway Matters;
Drainage and Flood Risk;
Viability and Planning Obligations
Other Material Considerations

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the erection 27 affordable dwellings, with associated access parking and provision of open space and surface water attenuation pond. The proposals within this application are part of a wider development on the site, including 46 affordable homes being delivered under outline permnisison 3PL/2016/0983/O and reserved matters application 3PL/2019/1184/D also under consideration. The whole scheme now proposed provides for an additional 27 dwellings and predominantly smaller family homes and which can now secure grant funding as a result of the 100% affordable housing provision on site.

The proposals comprise the provision of:

- 2 no. 2 bedroom bungalows;
- 9 no. 2 bedroom two storey semi-detached houses;
- 14 no. 3 bedroom two storey semidetached houses;
- 2 no. 4 bedroom two storey semi-detached houses.

These would be provided eitherside of a central estate road served off the access and estate road running from North Pickenham Road through the remainder of the site. An area of landscape open space and attenuation basin would be located in the southwest corner of the site.

SITE AND LOCATION

The site is currently located adjacent to the south western corner of the village and is located opposite the entrance to Elizabeth Drive. The site previously contained two dwellings and a disused farmhouse and associated outbuildings and a modern bungalow. Access is taken off North Pickenham Road. The site is now open with the buildings demolished and has some mature trees and landscaping located both on its boundaries and within the northern section of the site. Some of the trees on site are subject of Tree Preservation Orders.

The majority of the site benefits from outline planning permission (all matters reserved) for 46 dwellings (reference 3PL/2016/0983/O) granted on 30th November 2018. The site sits adjacent to Necton Housing Allocation 1 in the adopted Breckland Local Plan.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2016/0983/O -Demolish farmhouse, bungalow & agricultural buildings & erect up to 46 dwellings & provision of a Community Park - Permitted - 30/11/18.

3PL/2019/1184/D -Reserved Matters application for 46 dwellings with associated access, parking, landscaping and surface water attenuation - Under consideration.

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM02	Healthy Lifestyles
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV03	The Brecks Protected Habitats & Species
ENV04	Open Space, Sport & Recreation
ENV05	Protection and Enhancement of the Landscape

ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
ENV09	Flood Risk & Surface Water Drainage
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU03	Development Outside of the Boundaries of Local Service Centres
HOU06	Principle of New Housing
HOU07	Affordable Housing
INF02	Developer Contributions
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NECHA1	Necton Housing Allocation 1 Land off North Pickenham Road (LP010)
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

The proposed development would require the following obligations to be secured through a Section 106 Agreement:

- 100% affordable housing provision;
- Provision and maintenance of public open space;
- Provision of permissive paths through the site;

The proposals seek to provide 100% affordable housing and due to viability pressures do not propose to provide financial contributions towards education provision and library facilities. It is proposed that a further viability review and clawback mechanism will be included in any legal agreement to secure the provision of financial contributions towards education and library facilities should the viability position improve.

CONSULTATIONS

NECTON PARISH COUNCIL

Object to the proposals for the following reasons:

- Increase from 46 to 73 dwellings.
- Urban style development not in keeping with character and form of the site and area.
- Integrated housing styles rather than sectional.
- Concerns whether ponds would provide sufficient drainage attenuation.
- Insufficient parking provision and adverse impact on amenity of neighbouring properties.

- Increased traffic generation.
- Loss of trees.
- Design, appearance and materials.
- Layout and density of buildings.
- Impact on nature conservation.

PUBLIC RIGHTS OF WAY OFFICER

No objections.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objections subject to conditions.

OBLIGATIONS OFFICER, NORFOLK COUNTY COUNCIL

The development would require financial contributions towards:

- the provision of education facilities in the local area (Primary Education provision at Necton VA Primary School);
- the provision of library facilities in the local area;
- Provision of fire hydrants on site.

FLOOD & WATER MANAGEMENT TEAM

No objections subject to conditions.

HISTORIC BUILDINGS CONSULTANT

No comments to make.

TREE AND COUNTRYSIDE CONSULTANT

The current layout does not provide sufficient space between dwellings and large trees which are subject to TPO. This applies to the eastern boundary as well as woodland on the northern boundary. This is likely to create an enclosed feeling resulting in future pressure for pruning/removal of trees. I would like to see more space, with these trees located in open space rather than close to gardens/dwellings.

HOUSING ENABLING OFFICER

No objections in the light of the degree of overage provided on the scheme; the evidence I have seen that the chosen RP is prepared to purchase at this level of GIA, and how far along the scheme is and the difficulties in replanning at this late stage.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objections subject to conditions.

CONTAMINATED LAND OFFICER

No objections subject to conditions.

ENVIRONMENTAL HEALTH OFFICERS

No objections subject to the development proceeding in line with submitted details.

ENVIRONMENT AGENCY

No objections subject to conditions.

ANGLIAN WATER SERVICE

No objections subject to conditions.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space.

The foul drainage from this development is in the catchment of Necton Water Recycling Centre that will have available capacity for these flows.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

NATIONAL GRID

No objections.

HISTORIC ENVIRONMENT SERVICE

The revised Archaeological Written Scheme of Investigation is acceptable.

NATURAL ENGLAND

No objections.

CRIME REDUCTION & ARCHITECTURAL LIAISON OFFICER

Open Space:

Across both phases of the development dwellings have their rear gardens backing on to the areas of public open spaces, thus making the rear boundaries vulnerable. A back to back garden design would negate this and also in rotating the plots to give this design would allow for surveillance within the public open space especially with the attenuation basins being located within the public open space. Notwithstanding this the proposed boundary treatment is very good, with 1.8m closed board fencing / walls.

Attenuation basin:

The proposed location of the flood prevention for both phases has very little surveillance from surrounding properties. Recommend the provision of a barrier around the basin, provision of planting; and signage around the basins.

Cycle Parking:

These should be able to facilitate locking of both wheels and frame and be of galvanised steel construction.

PRINCIPAL PLANNER MINERAL & WASTE POLICY

Minerals Planning Authority (Norfolk County Council) - raises no objection to the applications 3PL/2019/1184/D and 3PL/2019/1183/F on the grounds of mineral resource safeguarding, provided that a condition is included within any grant of planning permission on this site. This is in our capacity as the Statutory Authority for mineral planning in Norfolk.

HIGHWAYS ENGLAND

No objections.

NORFOLK RIVERS INTERNAL DRAINAGE BOARD No Comments Received

Minerals Planning Authority - Norfolk County Council raises no objection to the applications 3PL/2019/1184/D and 3PL/2019/1183/F on the grounds of mineral resource safeguarding, provided that a condition is included within any grant of planning permission on this site. This is in our capacity as the Statutory Authority for mineral planning in Norfolk.

Highways England - No objections.

REPRESENTATIONS

The application has been publicised by a notice in the local press, a notice displayed on the site and letters sent to neighbouring residents. The Council has received objections from 24 individuals raising the following concerns and issues:

- Too many dwellings proposed over both applications;
- Concerns regarding the retention of and impact on drainage networks and ditches;
- Existing high water table and potential for existing surface water drainage issues to be worsened;
- Lack of viability information for the proposed development;
- Encroachment of development into the countryside;
- The high density of the scheme relative to the village creates a congested layout;
- Lack of design quality;
- Traffic appraisal fails to show traffic southbound along Browns lane which does not have sufficient capacity;
- Safety and visibility at the access is not demonstrated;
- Significant increase over the outline permission and allocation;
- Dwellings reliant on car and as a result increase in traffic along narrow rural lanes;
- Inadequate parking provision for the number of dwellings;
- Harm caused to wildlife and wild birds from loss of habitats;
- Detrimental impact on quality of living in the village;
- Inappropriate layout, scale and density of development;
- Harm caused to the natural environment contrary to the NPPF;
- Harm caused to surrounding trees;
- Harm caused to the privacy of nearby dwellings;
- Loss of daylight to neighbouring dwellings;
- Inadequate local facilities and services to meet the needs of the new development;
- Inadequate foul water system;
- Negative impact on property value.

Officer Response: The impacts on property values are not a material planning consideration.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The principle of residential development was established in this location by the granting of the outline planning permission reference 3PL/2016/0938/O for 46 dwellings with all matters reserved apart from access, which was considered at outline application stage. The principle of residential development on the site is therefore considered acceptable.

1.2 The proposals do though seek to provide an additional 27 dwellings over that previously granted permission on the site and the minimum target set out in the Local Plan (Policy HOU2). The proposed dwellings would be sited within the same site as that indicated in the outline permission. With the area extending outside of the permitted site at outline in order to provide on site open space and an attenuation basin. The provision of these outside the site granted outline permission are not in principle considered to result in significant harm to the countryside.

1.3 The provision of additional dwellings on the site is considered to align with policy HOU6 which requires that the design and layout of sites seek to optimise the density of developments to a level appropriate for the locality.

1.4 Other than the access and estate road the proposals within this application for full permission sit outside the allocated site area under Necton Housing Allocation 1. However, as noted above the bulk of the site other than open space and attenuation basin sit within the site benefiting from outline planning permission. The proposed layout as shown and the use of the estate road and access for this application would not compromise the delivery of the allocated site.

1.5 The implications of the proposals in terms of the increased number of dwellings the density, type, mix and layout of the proposals, impact on the surrounding area, any environmental impacts, and those on the road network are considered in further detail below.

2.0 Housing Type, Size and Mix

2.1 The application proposes the provision of 27 additional affordable dwellings on part of the outline site, with remaining part of the outline site the subject of a reserved matters application for 46 affordable dwellings (3PL/2019/1184/D) and associated works.

2.2 Policy HOU6 of the adopted Local Plan requires appropriate densities, mix and type of housing and that residential development take sufficient account of the need identified in the strategic housing market assessment (SHMA).

2.3 The proposals provide a mix of dwelling types including single bedroom apartments, two and three bedroom terraced and semi detached homes, and three and four bedroom semi-detached family homes, all with access to parking and appropriate levels of private outdoor amenity space. Whilst there is a greater proportion of two three bedrooms proposed this is considered to adequately reflect the need identified in the latest Strategic Housing Market Assessment (SHMA). Overall the proposals are considered to provide sufficient mix and balance of house types and sizes to supplement the housing stock locally and meet the needs in the district.

2.4 Policy HOU10 of the adopted Local Plan requires all new housing to meet the Nationally Described Space Standards. The proposed house types would not meet the space standards for the gross internal floor areas and storage areas set out in Table 1 of the standards. However, the proposals seek to deliver a full affordable housing scheme, significantly in excess of both policy requirements. The registered provider to take on these homes Flagship Homes have agreed to the house types proposed and the Council's Housing Enabling Officer has raised no objections to the proposals. Flagship are an established registered provider of affordable homes in the District. The additional provision of affordable housing is a significant social benefit from the scheme and has been given significant weight.

2.5 As noted above the proposals provide for a full affordable housing scheme in excess of the required provision set out in policy HOU7 of the adopted Local Plan. It is proposed to provide 51 (70%) affordable rented dwellings and 22 (30%) shared ownership dwellings across the two applications / phases. The Council's Housing Officer has reviewed the proposals and considers the proposed affordable housing to be acceptable, providing for a satisfactory mix of type and size of dwellings to meet the particular need in Breckland. The affordable rent and shared ownership dwellings have sufficient spread through the site, noting the specific requirements of the registered provider of social housing (in this case Flagship Housing) to make their ongoing management and maintenance viable. Flagship have provided written confirmation of their acceptance of the proposed scheme.

2.6 Having regard to the above, the proposals are considered to accord with policies HOU6, HOU7 and HOU10, of the adopted Local Plan, and the policy guidance and objectives set out in the NPPF.

3.0 Design, layout and scale

3.1 Policies 12 of the NPPF, GEN02, and COM01 of the Local Plan seek to achieve a high quality design and to protect the landscape. Policies ENV05, GEN2 and COM01 similarly seek to secure high quality design and contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Policy 11 of the NPPF seeks to make the effective and efficient use of land.

3.2 The proposed layout reflects the indicative layout shown at outline stage for this part of the site, and incorporates dwellings sited either side of the estate road running towards the northern boundary of the site punctuated by a row running east to west. Amended plans have been submitted during the course of the application following concerns raised by officers with regards to the layout and density of the development. Following amendments the layout now provides for a looser pattern incorporating dwellings with differing building lines; more regular and greater spacing between dwellings; additional planting breaking up hard surfaced parking areas.

3.3 In terms of scale and height, the majority of properties proposed are two storey, with a small number of single storey bungalows proposed to the northeast corner of the site. Given the mix of single and two storey heights of dwellings seen throughout Necton the proposals are not considered to be out of keeping with the scale of dwellings seen within the village and the broader character of the village.

3.4 The density of development is 24.1 dwellings per hectare (dph) across the application site is considered to be in accordance with Policy HOU6 which requires densities in rural locations and on the edges of settlements to reflect the local character. Whilst of greater density than that seen to the south of North Pickenham Road, this is not considered to be a high density and the proposed density is broadly in line with development seen elsewhere in the village.

3.5 There are a variety of dwelling types, design and materials used within the village of Necton and the residential area to the east. The proposed house types are all of conventional form, layout and appearance. The predominant use of semi-detached dwelling types ensures there are regular breaks in the built form and provides for a continuity through the two phases of the development. The house types proposed include the use of brick and render which reflect the materials used in the surrounding area.

3.6 The proposed public open space for this part of the development is located in the southwestern corner of the site and incorporates the surface water attenuation pond. Improvements have been made to this to provide appropriate barriers around the pond. The total open space provided on both this site and that being considered under application 3PL/2019/1184/D would be 0.43 Ha and would meet the policy requirements of 0.41 Ha of on site open space. A plan detailing the provision and design of an on site Local Area of Play (LAP) within the northern half of the main central area of open space within application (3PL/2019/1184/D) is recommended to be secured via condition.

3.7 The provision of landscape open space towards the southwestern corner will help to soften this boundary adjacent to the open countryside and will support and supplement the adjacent permissive path secured in the Section 106 Agreement attached to the outline permission. Further details of the design and layout of this area of open space including any furniture, boundary treatment are required and it is proposed be secured through an appropriately worded condition also securing their implementation.

3.8 Following amendments to the scheme it is considered that the proposals would respond to the character and appearance of the surrounding residential area to the north and east. The proposed layout and appearance of the development is therefore considered acceptable and in character with the surrounding

area in accordance with Policies GEN02 and COM01 of the Breckland Local Plan and section 12 of the NPPF.

4.0 Amenity Considerations

4.1 Policy COM03 of the Breckland Local Plan seeks all new development to protect the amenity of the area, neighbouring and future occupants. With the intervening highway, public right of way, and buffer provided by the hedgerow and treeline running along the southern boundary of the site, the proposals would retain adequate separation and provide for an acceptable relationship to the existing residential properties to the east and on the opposite side of North Pickenham Road. Therefore, the proposals are unlikely to result in significant amenity impact in terms of overlooking, overbearing or overshadowing for the properties to the north and west of the site.

4.2 There are good separation distances proposed throughout the proposed scheme with sufficient car parking and amenity spaces, as well as new open spaces to protect the amenity of future occupants. On this basis, the proposal is therefore considered in accordance with Policy COM03 of the Local Plan and the amenity of existing and future occupants protected.

5.0 Landscaping and Trees

5.1 Policy ENV06 of the Breckland Local Plan requires that where protected hedgerows are lost, this would only be acceptable where this would allow for substantially improved approach to the design and landscaping of the site and that where this is unavoidable adequate replacement provision of native species would be sought. The Housing Allocation policy for the site in the Local Plan requires that the perimeter trees are retained within any detailed development.

5.2 The application has been supported by a Tree Survey and AIA to ensure those important trees and landscape features are taken into account in the design of the layout and retained. Trees and hedgerows along the north and east boundaries of the site are to be protected in accordance with this assessment and will provide a good level of screening for the development as well as to the adjacent properties to the south and east of the site.

5.3 Comments of the Tree Officer on an updated Arboricultural Impact Assessment are awaited and will be reported to committee. The revised layout has taken into account the proximity of the proposed dwellings to the root protection areas and crown spreads of the trees on and adjacent to the site. It is considered that the proposals would now provide adequate outlook and separation to the mature trees on the boundaries of the site. The hedgerow along the North Pickenham Road frontage of the site would now be extended to provide a continuous landscape buffer along the site frontage in accordance with criteria 5 of the housing allocation policy. There are also adequate areas of public open space on site to provide such planting and conditions have been recommended accordingly.

5.4 The application has been supported by detailed landscape proposals for the public open space and site. The Council's Tree Officer has reviewed these and considers the proposed planting scheme to be acceptable. A condition has been included requiring a detailed landscaping to be carried out in accordance with the submitted details.

6.1 Ecology

6.2 Both policy ENV02 of the Local Plan and the guidance contained within section 15 of the NPPF require that development should contribute to a net gain in biodiversity with an emphasis on improving ecological

networks and linkages where possible. An Ecological Impact Assessment and Ecological Design Strategy has been submitted with the application and follows the carrying out of further protected species surveys. This proposes a series of mitigation and enhancement measures, including the provision of bat and bird boxes across the site, tree planting, wildflower meadow planting and the creation of additional wildlife habitats. The Ecologist at Norfolk Environment Team has subsequently raised no objections to the reserved matters application.

6.3 A lighting condition will also be placed on the reserved matters to protect ecology, the dark sky status and rural amenity in accordance with section 15 of the NPPF, GEN01, ENV02, and ENV05 of the Breckland Local Plan (adopted).

7.0 Highway Safety, car parking and accessibility

7.1 Policy TR02 of the Breckland Local Plan requires new development to ensure safe and suitable access. This was assessed at outline application stage and a transport assessment and addendum submitted in this regard. It was considered that the impacts from the development on highway safety were acceptable and no objection was raised by the Highways Authority.

7.2 Policy TR02 and COM01 of the Breckland Local Plan requires the provision of appropriate on site parking provision. Car parking provision has been made for each of the dwellings within curtilage and on an average of two spaces per dwelling with further additional car parking available within proposed visitor spaces. On this basis the proposal is considered in accordance with Policies COM01 and TR02 of the Local Plan.

7.3 Policy 9 of the NPPF requires sustainable transport to be promoted; safe and suitable access to sites; and to give priority to pedestrian and cycle movements.

7.4 This site is included in the Local Plan as a housing allocation 1 for Necton and requires that the principal access is provided from North Pickenham Road. The proposed access is through the new estate road access off the North Pickenham Road and therefore the proposals comply with this policy.

7.5 The Highways Authority have confirmed that they have no objections to the revised proposals and that their comments on minor aspects of the highways layout can be addressed when approvals are sought of the sections of highway to be adopted. Following amendments the proposals include the provision of a footpath along the site frontage to connect to the permissive route to the southwest, and the applicants have agreed to provide for minor off-site highway improvements in order to improve pedestrian connectivity and footpath provision northeast into Necton. In accordance with the objectives of the Housing Allocation policy for this site (Necton 1).

7.6 Overall the proposals are considered to provide for safe access and egress and would not result in severe adverse impacts on highway safety and function of the highway network in accordance with policies COM01 and TR02 of the Breckland Local Plan and the guidance contained within the NPPF.

8.0 Flood Risk and Drainage

8.6 Section 14 of the NPPF seeks to direct new development away from areas at highest risk of flooding and for new development to not increase flood risk elsewhere.

8.7 The housing allocation policy for the site in the emerging Local Plan require that the site specific FRA take account of the surface water flow path running through the site. A site specific Flood Risk Assessment has been submitted and the detailed scheme has taken account of this and dwellings located to avoid this in

accordance with policy guidance. Following the submission of an updated Flood Risk Assessment and Drainage Strategy the LLFA have raised no objections to the detailed proposals subject to conditions.

8.8 With respect to foul and waste water the housing allocation policy requires any scheme to have appropriate regard to the findings of the Water Cycle Study. A pre-development enquiry was carried out with Anglian Water and details of the required flows and connections into the main public sewer are set out within the submitted FRA. Anglian Water have subsequently been consulted and have raised no objections subject to conditions. The proposals are therefore considered in accordance with the policy guidance in section 14 of the NPPF, policy ENV09 of the Local Plan and the sites housing allocation policy in the Local Plan.

9.0 Viability and Planning Obligations

9.1 Policy INF02 requires major development such as this provide necessary obligations to fully mitigate for the impacts of the development including such community infrastructure as that secured in the outline permission. A section 106 agreement was entered into at outline application stage which secured contributions for the provision of on site affordable housing; the provision and on going maintenance of public open space and play facilities; financial contributions towards and library services.

9.2 As reported above, this application is part of a larger 100% affordable housing scheme that will deliver 73 dwellings with a split of 30% to be shared ownership and 70% to be affordable rent. As a result of the scheme providing 100% affordable housing on site it will be able to lever in grant funding. Despite being able to obtain grant funding from Homes England the applicants contend that the scheme can not viably provide for the financial contributions required towards the provision of education and library facilities in the local area. This position has been supported by a financial viability report.

9.3 This report has been the subject of independent review by the District Valuer (DV) on behalf of the Council. The DV have agreed with the majority of the inputs and assumptions used in analysing the viability of the proposed scheme and conclude based on additional information that the provision of financial contributions towards education and library facilities would make the scheme unviable. Given that this is based on current information, in order to ensure that in the event that the viability position change that any profit is clawed back towards such facilities, it is recommended a clause be inserted into the legal agreement requiring a further viability appraisal be undertaken at a later date.

9.4 In light of the proposals being for a 100% affordable scheme and no financial contributions towards the provision of education and library facilities as a result of the viability of the 100% affordable scheme it is recommended that the permission be subject to a legal agreement securing the proposed full 100% affordable housing and clawback mechanism to ensure should the viability position improve and it become viable financial contributions are secured towards education and library facilities. The priority given towards education provision in line with the County Council's request.

10.0 Minerals and Ground Conditions

10.1 The site is underlain by sand and gravel which is safeguarded under policy CS16 of the Minerals and Waste Core Strategy. Criteria 6 of the Housing Allocation policy also requires that developments address the requirements of the Minerals and Waste Core Strategy. In accordance with the recommendations of the Minerals and Waste Planning Authority a condition has been recommended requiring that further tests are undertaken prior to the commencement of development that would inform a minerals management plan should such tests identify potential for re-use of the minerals on site.

10.2 With respect to potential contamination, it is noted that the site has now been cleared. The outline

permission included conditions securing the carrying out of a detailed site investigation report and as this is an application for full permission and includes an area of land outside of the original red edge extent of the site. The site has been the subject of a phase 1 and 2 site investigation which identifies . The Councils Contaminated Land Officer has reviewed the report raised no objections subject to the development being carried out in accordance with the proposed details and a condition securing appropriate remediation of unexpected contamination is found. Subject to such a condition, it is considered there would be satisfactory measures in place to require the investigation and remediation of the site in accordance with policy COM03 of the Local Plan.

11.0 Heritage and Archaeological Considerations

11.1 The site allocation policy requires that any scheme should preserve or where possible enhance the setting of nearby designated and non-designated heritage assets. Given the significant buffer provided by the mature woodland and tree belt to the nearest heritage assets to the northeast, the intervening built form and wider character of this part of Necton it is considered that the proposals would preserve the setting of nearby heritage assets. The Councils Historic Building Consultant has raised no objections to the proposed development.

11.2 The site has archaeological potential as evidenced by the supporting reports and confirmed by NCC Environment Services, whom have not raised an objection subject to a condition requiring development be carried out in accordance with the approved written scheme of investigation. Accordingly the proposed development is considered to accord with policies ENV07 and ENV08 of the Breckland Local Plan (adopted).

12.0 Conclusion and Planning Balance

12.1 The principle of development and access to the site were established through the approval of outline permission 3PL/2016/0983/O. The layout, density and design of the proposals have been assessed and amended following requests of the planning officer and are now considered acceptable and in accordance within adopted Local Plan and with regard to the policy guidance contained within the NPPF as set out above.

12.2 The proposals provide for 27 affordable dwellings and is part of a larger scheme to deliver a total of 73 affordable dwellings and as a result there would be significant benefits social and economic benefits resulting from the scheme. Weighed against the significant over provision of affordable homes is the failure to provide for mitigation towards education and library needs resulting from the new dwellings as required by policy INF02. However, having regard to the viability evidence put forward and reviewed by the District Valuer on the Councils behalf it is noted that such financial contributions would not be viable in this instance. In light of the guidance set out in the NPPF and NPPG and both the local and national objectives of boosting the supply of housing and the local need for affordable housing, it is considered the significant social and economic benefits from the provision of a substantial number of affordable homes would outweigh the conflict with policy INF02 in this instance, and the proposals are considered to be acceptable.

12.3 For these reasons the application is recommended for approval subject to entering into a section 106 agreement to ensure the scheme delivers the proposed public open space, footpath routes and 100% affordable housing, and provide a clawback mechanism should a subsequent review of viability prove that the scheme can viably provide for contributions towards education and library facilities.

RECOMMENDATION

The application is therefore recommended for approval subject to the completion of a section 106 agreement and the conditions set out below.

CONDITIONS

- 1 Full Permission Time Limit (2 years)**

The development must be begun not later than the expiration of TWO YEARS beginning with the date of this permission.

Reason for condition:-
As required by section 91 of the Town & Country Planning Act 1990 (as amended).
- 2 In accordance with submitted plans NEW 2017**

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-
To ensure the satisfactory development of the site.
- 3 Standard estate road conditions**

No works shall commence on the site above slab level until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

Reason for condition:-
This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged
- 4 Standard estate road conditions**

Prior to the occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved details.

Reason for condition:-
To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).
- 5 Provision of visibility splays - condition/approved plan**

Prior to the occupation of the first dwelling within the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason for condition:-

In the interests of highway safety in accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted) and the principles of the NPPF.

This condition will require to be discharged

6

Highway improvements - off-site

Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site until a detailed scheme for the provision and completion of off-site highway improvement works as indicated on the following approved plans, Site Layout (Drawing no. 003 Rev W) and Proposed Offsite pedestrian Footway Upgrade Works (Drawing 001) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the necessary mechanisms for securing necessary consents; detailed drawings of the works; and timescales for their completion. The permitted off-site highway improvement works (including any to Public Rights of Way) shall be completed prior to the first occupation of the development hereby approved or as otherwise approved pursuant to this condition.

Reason for condition:

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor. In accordance with policies TR01, TR02 and COM01 of the Breckland Local Plan (Adopted).

7

External wall and roof materials to be agreed

No development above slab level shall take place until precise details, (including samples where required), of the materials used in the construction of the external walls and roof(s) of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details.

Reason for condition:-

To enable the Local Planning Authority to control the colour, tone, texture and appearance of the materials used to ensure the satisfactory appearance of the development, as required by Policy GEN02, COM01 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

8

Drainage condition

Prior to commencement of development, in accordance with the submitted SuDS Maintenance Plan (North Pickenham Road, Necton, Norfolk (Phase 2) with Ref N19004 November 2019), Flood Risk Assessment & Drainage Strategy (North Pickenham Road, Necton, Norfolk (Phase 2) with Ref N19004C August 2019) and drawing number N19004-906 Rev: P1 (First Flood Flow Route Phase 2), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed attenuation basin/s,
- II. Surface water runoff rates will be attenuated to 2.8l/s and therefore the total discharge rate for the proposed development will be 7.5l/s as per the overall greenfield runoff rate (Qbar) for the scheme, as stated within section 5 proposed

drainage of the amended FRA / Drainage Strategy.

III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including allowances for climate change. A minimum storage volume of 320m³ will be provided in line with section 5 proposed drainage of the submitted amended FRA.

IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the: 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site. 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

V. The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.

VI. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VIII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason for condition:-

Details are required prior to works above ground level to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (2018) and Environment Agency Groundwater Protection: Principles and Practice. In accordance with policy ENV09 of the Breckland Local Plan (Adopted).

9

Precise details of foul water disposal

Prior to any development commencing above slab level or the laying of foundations, and the construction of any drainage systems on site precise details of the means of foul water disposal shall be submitted to and approved first in writing by the Local Planning Authority. The approved foul water system will be made available and fully functional for each dwelling prior to their first occupation.

Reason for condition:-

Details are required at an early stage in accordance with Policies in accordance with Policies ENV09 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

10 Trees and hedges

No development shall commence on site until an updated Tree Protection Plan and Arboricultural Method Statement have been submitted to and approved in writing by the Local Planning Authority. Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the TPP.

The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless or until the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:-

In the interests of the satisfactory appearance of the development and the protection of existing trees and hedges, having regard to Policies GEN02, COM01 and ENV06 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

11 Boundary screening to be agreed

Prior to the first occupation of the development hereby approved, a scheme for the provision of boundary screening, shall be submitted to the Local Planning Authority for approval. The approved scheme shall thereafter be completed prior to the first occupation of the dwelling which the screening adjoins.

Reason for condition:-

To safeguard the interests of the amenities of neighbouring occupiers and to ensure the satisfactory appearance of the development, in accordance with Policies GEN02, COM01 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

12 Landscaping - details and implementation

Prior to the first occupation of any of the dwellings hereby permitted an updated landscaping scheme which shall take account of any existing trees or hedges on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out during the planting season November/March immediately following the commencement of the development, or within such longer period as may be first agreed in writing with the Local Planning Authority. The details shall take account of the Council's leaflet "Tree pack" (Landscaping advice for applicants). Any trees or plants which within a period of 5 (five) years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of the same size and species unless the Local Planning Authority gives written consent to any variation.

Reason for condition:-

To ensure the satisfactory appearance of the development and surrounding area, in accordance with Policies GEN02, COM01 and ENV05 of the Breckland Local Plan

(Adopted).

This condition will require to be discharged

13

Compliance with submitted Ecology Report

The proposed development shall proceed in accordance with the approved Ecological Impact Assessment, version BE-1099.4b (Bagshaw Ecology; December 2019) and the approved Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020) including enhancement measures must be installed as shown on the Ecological Enhancement Plan in Appendix 2 of the Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020) and post development monitoring must be carried out in accordance with section 2.11 of the Ecological Design Strategy, version BE-1099.2f (Bagshaw Ecology; February 2020).

Reason for condition:-

In order to protect wildlife and nature conservation interests within and around the application site, and to mitigate the ecological impacts of the development having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

14

Lighting strategy

No development above slab level shall take place (including demolition ground works, vegetation clearance) until a 'lighting design strategy for biodiversity' for the site has been submitted to and approved in writing by the local planning authority. The strategy shall:

(a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example foraging; and

(b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to breeding sites, resting places or feeding areas.

(c) The lighting plan must be developed in accordance with the Bat Conservation Trust and The Institution of Lighting Professionals (ILP) guidance on bats and lighting: <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason for condition:-

In order to ensure those ecological enhancement measures are integrated into the site and design of the final scheme being implemented on site. In order to protect wildlife and nature conservation interests within and around the application site, and to provide ecological enhancements having regard to Policy ENV02 of the Breckland Local Plan (Adopted) and policy guidance contained within the NPPF.

15

Archaeological condition

The development shall take place in accordance with the approved written scheme of investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the approved programme set out in the archaeological written scheme of investigation and details have been approved for the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured. The development shall thereafter be carried out in accordance with the approved details.

Reason for condition:-

To secure the recording and preservation of previously below ground heritage assets in accordance with Policy ENV07 and ENV08 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

16 Fire Hydrants

Prior to the commencement of any works above slab level a scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of two fire hydrants (served by mains water supply) serving the development. No dwelling shall be occupied until the approved hydrant(s) for that Phase have been provided in accordance with the approved scheme.

Reason for condition:-

In order to secure the provision of fire hydrants in accordance with Policy INF02 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

17 Scheme for security around basin

Prior to the occupation of the first dwelling hereby permitted, a scheme detailing the provision of a barrier or means of enclosure around the surface water attenuation basin within the public open space shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details prior to the surface water drainage systems being brought into use.

Reason for condition:-

In the interests of the safety of the future residents and members of the public, in accordance with Policy COM03 of the Breckland Local Plan (Adopted).

18 Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. detailed proposals for the removal of asbestos from existing buildings to be demolished

viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason for condition:

The details are required prior to the commencement of the development in the interests of the amenity of the area and to ensure a safe development from the outset of the development. In accordance with Policies GEN02 and COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

19

Non-standard condition

The development shall be carried out in full accordance with recommendations of the Phase 2 Site Investigation Report, 'Erne Farm , Necton', dated 14th June 2019, prepared by Curtins, reference 071563-CUR-00-XX-RP-GE-00001, Rev V02. This shall include that should piled foundations or raft type foundations be used details of further site investigation and remediation measures shall be submitted and be approved in writing by the Local Planning Authority prior to the commencement of development above slab level. The development shall thereafter be carried out in accordance with the approved details and dwellings shall not be occupied until a completion report has been submitted to and approved in writing by the Local Planning Authority confirming any necessary measures have been provided.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy COM03 of the Breckland Local Plan (Adopted).

20

Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy COM03 of the Breckland Local Plan (Adopted).

This condition will require to be discharged

21

Non-standard condition

Prior to the commencement of the development hereby approved, the following will be submitted to and approved in writing by the Local Planning Authority in consultation with the

Mineral Planning Authority:

A) A Mineral Resource Assessment

The Mineral Resource Assessment will be carried out to inform a Materials Management Plan-Minerals (MMP-M). The Mineral Resource Assessment will include a written methodology for an intrusive site investigation, including Particle Size Distribution testing to determine if the site contains a viable mineral resource for prior extraction. Assessment of the results of the Particle Size Distribution testing should refer to material class types in Table 6/1 of the Manual of Contract Documents for Highway Works: vol. 1: Specification for Highway Works Series 600, in order to identify potential suitability for use in the construction phases.

B) A Materials Management Plan - Minerals (MMP-M)

The MMP-M will consider the extent to which on-site materials, which could be extracted during the proposed development, would meet specifications for use on-site through intrusive site investigations, testing and assessment. The MMP-M will outline the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant. The MMP -M will outline that the developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M. The developer shall provide an annual return of these amounts to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

Reason for condition:-

The details are required prior to the commencement of development because details of the mineral management plan will be informed by ground works on the site. The condition is required in order to ensure that needless sterilisation of safeguarded mineral resources does not take place in accordance with the National Planning Policy Framework and Policy CS16 of the Norfolk Core Strategy and Minerals and Waste Development Management Policies DPD 2010-2026.

24

Note Legal agreement re: afford hsg, p open space & fin cont

The permission is subject to a legal agreement dated xxxx requiring the provision of affordable housing, public open space, and financial contributions towards local services and green infrastructure projects.